

ERVIN COHEN & JESSUP LLP

Randall S. Leff (SBN 77148)
rleff@ecjlaw.com
Russell M. Selmont (SBN 252522)
rselmont@ecjlaw.com
ERVIN COHEN & JESSUP LLP
9401 Wilshire Boulevard, Ninth Floor
Beverly Hills, California 90212-2974
Telephone (310) 273-6333
Facsimile (310) 859-2325

Attorneys for Defendant APRIMA MEDICAL SOFTWARE, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

MEDSQUIRE, LLC

Plaintiff,

v.

SPRING MEDICAL SYSTEMS, INC.;
QUEST DIAGNOSTICS, INC.;
NEXTGEN HEALTHCARE
INFORMATION SYSTEMS, INC.;
HENRY SCHEIN MEDICAL
SYSTEMS, INC.; HEWLETT-
PACKARD COMPANY; APRIMA
MEDICAL SOFTWARE, INC.;
eCLINICALWORKS, LLC; MED3000,
INC.; PULSE SYSTEMS, INC.;
COMPULINK BUSINESS SYSTEMS,
INC.; NEXTECH SYSTEMS, INC.;
NAVINET, INC.; successEHS, INC.;
athenaHEALTH, INC.

Defendants.

CASE NO. 11-cv-04504-JHN-PLAx

NOTICE OF JOINDER IN QUEST
DIAGNOSTICS, INC.'S MOTION TO
DISMISS BY DEFENDANT APRIMA
MEDICAL SOFTWARE, INC.

Date: August 22, 2011
Time: 2:00 p.m.
Crtrm: 790
Judge: Hon. Jacqueline H. Nguyen

Complaint filed: May 25, 2011

Aprima Medical Software, Inc. ("Aprmia") hereby joins in Defendant Quest
Diagnostics, Inc.'s ("Quest") Motion to Dismiss, which was filed on July 18, 2011,
and is set for hearing on August 22, 2011.

1 Plaintiff Medsquire, LLC's claims against Aprima are identical to its claims
2 against Quest except for the name of the accused product, and therefore they are
3 deficient for the same reasons stated in Quest's Motion. *See*:

- 4 • ¶¶ 27, 42, and 57 (allegations against Aprima Medical Software, Inc.)

5 For the foregoing reasons, Aprima respectfully requests that Medsquire's
6 Complaint be dismissed under Fed. R. Civ. P. 12(b)(6) as it fails to state a claim
7 upon which relief can be granted.

8
9 DATED: July 28, 2011

ERVIN COHEN & JESSUP LLP
Randall S. Leff [CA SBN 77148]
Russell M. Selmont [CA SBN 252522]
ERVIN COHEN & JESSUP, LLP
9401 Wilshire Boulevard, 9th Floor
Beverly Hills, California 90212
Tel: 310-273-6333
Fax: 310-859-2325

14 Bv: /s/ Randall S. Leff
15 Randall S. Leff
16 Attorneys for Defendant APRIMA
MEDICAL SOFTWARE, INC.

CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2011 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record below:

Lawrence M. Hadley
 Roderick G. Dorman
 Hennigan Dorman LLP
 865 South Figueroa Street, Suite 2900
 Los Angeles, CA 90017
Counsel for Medsquire LLC

D. James Pak
 Baker & McKenzie LLP
 12544 High Bluff Drive, Suite 300
 San Diego, CA 92130
Counsel for Quest Diagnostics Inc.

Harry P. Weitzel
 Jeffrey M. Goldman
 Pepper Hamilton LLP
 4 Park Plaza, Suite 1200
 Irvine, CA 92614
Counsel for Nextgen Healthcare Information Systems, Inc.

Ann M. Shyjan
 Michael T. Renaud
 Noah V. Malgeri
 Pepper Hamilton LLP
 Oliver Street Tower
 125 High Street, 15th Floor
 Boston, MA 02110-2736
Counsel for Nextgen Healthcare Information Systems, Inc.

Baldassare Vinti
 Bruce E. Fader
 Proskauer Rose LLP
 11 Times Square
 New York, NY 10036
Counsel for Henry Schein Medical Systems Inc.

Nancy Sher Cohen
 Proskauer Rose LLP
 2049 Century Park East, 32nd Floor
 Los Angeles, CA 90067-3206
Counsel for Henry Schein Medical Systems Inc.

Jeffrey T. Thomas
 Gibson Dunn & Crutcher
 3161 Michelson Drive
 Irvine, CA 92612-4412
Counsel for Hewlett-Packard Company

John W. Amberg
 Bryan Cave LLP
 120 Broadway, Suite 300
 Santa Monica, CA 90401-2386
Counsel for eClinicalworks LLC

Keith M. Aurzada
 Bryan Cave LLP
 2200 Ross Avenue, Suite 3300
 Dallas, TX 75201
Counsel for eClinicalworks LLC

Ryan T. Pumpian
 Bryan Cave LLP
 1201 W. Peachtree Street, NW, 145th Floor
 Atlanta, GA 30309
Counsel for eClinicalworks LLC

1 Don V. Kelly
2 Evans and Dixon LLC
3 211 North Broadway, Suite 2500
4 St. Louis, MO 63102-2727
5 *Counsel for Pulse Systems Inc.*

6 Mark Goldstein
7 Meenakshi Kala Sarvaiya
8 Michael D. Harris
9 SoCal IP Law Group, LLP
10 310 N. Westlake Blvd., Suite 120
11 Westlake Village, CA 91362
12 *Counsel for Compulink Business Systems, Inc.*

Matthew L. Marshall
Morris Polich & Purdy
1055 West 7th Street, 24th Floor
Los Angeles, CA 90017-2503
Counsel for Pulse Systems Inc.

Karin G. Pagnanelli
Mitchell Silberberg & Knupp LLP
11377 West Olympic Blvd.
Los Angeles, CA 90064-1683
Counsel for successEHS Inc.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
/s/ Randall S. Leff

Randall S. Leff